

CITY OF TAKOMA PARK, MARYLAND
(Adopted May 9, 2005)

**PRESENTATIONS, REGULAR MEETING AND WORKSESSION
OF THE CITY COUNCIL**

April 11, 2005

OFFICIALS PRESENT:

Mayor Porter	City Manager Matthews
Councilmember Austin-Lane	Executive Assistant Forster
Councilmember Barry	Housing and Comm. Development Director Daines
Councilmember Elrich	Senior Planner Inerfeld
Councilmember Mizeur	Deputy Public Works Director Braithwaite
Councilmember Seamens	
Councilmember Williams	

The City Council convened at 7:43 p.m. in the Municipal Building Council Chambers, 7500 Maple Avenue, Takoma Park, Maryland.

COUNCIL COMMENTS

Mayor Porter noted that there had been an Executive Function Session earlier in the evening.

Ms. Austin-Lane called for proposals for the Takoma Park Film Festival, which may be held in the Council Chambers for the first time. She announced a second item, the screening of the banned episode of the PBS children's show, "Postcards from Buster," to be shown this Saturday in the Council Chambers.

Mr. Williams commented on the Arbor Day celebration held this past Saturday at the Library and the Tastes of Takoma held by Columbia Union College and the Adventist Hospital. He also encouraged people to attend the showing of "Postcards from Buster."

Ms. Mizeur noted that in the show, one of the characters has two mommies, and that was the reason for some stations not airing the episode.

ADDITIONAL AGENDA ITEMS

Ms Porter announced that she has added a resolution offering condolences to Councilmember Seamens on the passing of his mother.

ADOPTION OF MINUTES: June 14, 2004; June 21, 2004; September 20, 2004; October 11, 2004; October 18, 2004; and March 28, 2005.

Motion by Williams/second by Austin-Lane. The minutes were adopted (VOTING FOR: Porter, Austin-Lane, Barry, Elrich, Mizeur, Seamens, Williams).

PUBLIC COMMENTS

There were no public comments.

PRESENTATION

1. Update on the Community Center Construction Project

Ms. Matthews reported that the access corridor to the Police Department has been completed. Contractors are beginning the duct installation work in the old Administration Office area and working on the flood wall. She requested Council's input on concrete color for the bridge walkway to Maple Avenue. Ms. Matthews responded to a question posed last week by Councilmember Austin-Lane about the parking lot and sidewalks.

Ms. Austin-Lane noted the discussion scheduled for next week about the crosswalk at the entrance to the Library by the parking lot. She said it is imperative that we address the safety problem at that location.

Ms. Seamens said safety is of importance. I wonder if we can't find a low cost solution, possibly providing space in the parking lot to be used as a sidewalk for young children to go to Philadelphia Avenue.

Ms. Matthews said it is something we can explore if Council wants to. Ms. Matthews continued her report with an update on the bid process for the community level. The original intention was to bring back recommendations to Council in mid-May. We're preparing a consolidated drawing to get this project under one permit. This step will be useful in preparing the bid for the next phase of the project. The specifications must be as clear and accurate as possible. Ms. Matthews said she will have a financial update next week.

Mayor Porter noted that because of the lack of meeting space in the building for her regular office hours on Tuesday afternoons and Wednesday evenings, she is encouraging people who would like to meet with her to contact Peggys Forster to arrange a time and place to meet.

2. Briefing by Friends of the Tool Library

Richard Levine, 7320 Cedar Avenue, provided an update on the Tool Library. He read a prepared statement (attached). He said that based on a survey at the Farmers Market, the Tool Library has a following in Takoma Park and the surrounding area. He requested the Council to give him and others working on the project an additional two months. Usage of the facility is picking up.

Faith Wheeler, of Takoma DC, said there has been some interest in Takoma DC to have a tool

library of our own, but it's quite an undertaking. We would like to explore usage of the Tool Library in Takoma Park by our residents. It's a possibility that's well worth considering for Takoma, Maryland and Takoma DC.

John Salmen said he is an architect with a business on Grant Avenue. I have always been impressed that there was a Tool Library here, and now it's being revitalized. Most people don't know how to use some of the tools. If we get some advertising, it'll be a great benefit to the people that live here. People will learn how to do more tasks, more activities. The community ought to take advantage of it.

Ms. Porter thanked the speakers. She asked about their timeline or plans for organizing a committee.

Mr. Levine said he has now seen clearly what the Tool Library usage is. We've started to form a Board. You have names of people that want to form the board.

Mr. Seamens said I think we've seen in the last year some progress, at least from the City, to make the site nice and secure. I'm disappointed with the level of commitment from the supporters of the Tool Library and the community. I want to go on record as saying with the budget period approaching, I'd to see the Tool Library gain support from the Council.

Mr. Levine said I now have a list of people who have expressed their interest. Based on the initial enthusiasm, I suspect we will be pretty successful.

Mr. Seamens said I agree that people are enthusiastic, but they get busy and don't follow through. I think the Council can discuss the possibility of partnering with Takoma DC. This is another step we can take towards being more neighborly.

Mr. Williams asked for a timeframe for getting some indication back from the Friends on their success with getting volunteers, noting that the two month timeframe would be too late for the budget.

Ms. Porter noted that the Council generally discusses things for the budget in May. Discussions on what's in and out are done in May. It would be very helpful to see what progress you've made at that point. The last discussion will be scheduled for May 23 or May 26. Maybe we'll have you come back during that time.

Mr. Seamens said he urges Council and residents who are as encouraged as I am to keep the Tool Library. He suggested monetary donations to get the tools on the list provided by the Friends and borrowing more tools to increase the usage.

Ms. Mizeur asked Ms. Wheeler if she has considered whether or not there should be a fee for this usage. We need to think of the taxpayers. We have to figure out if there's a duplication of services, so if we're partners on this, we would want feedback from your table if there were fees attached.

Ms. Wheeler said, in a previous conversation with Richard, we're thinking about the possibility of costing out the system to service individual associate memberships. I think that will work. That's an idea that was thrown out, as you consider budgetary expenses. It's another question.

Ms. Mizeur asked if the Tool Library location is now permanent, given the improvements that have been done with moving it to the Public Works.

Ms. Matthews said there hasn't been any discussion about moving it. Most improvements made were to the trailer itself, the landscape, and fencing. It's up to the Council to ultimately find a place for it.

Mr. Levine said that when it was on the Municipal Building grounds, people walked by it and saw it every day. He suggested putting signs along Maple, directing people to the Tool Library, so people can just drive by and know where it is.

Ms. Mizeur commented that there had been concerns about moving it from its current location. It was sort of temporary relocated where it may not have been advertised sufficiently to where people can find it. Inventorying the tools, improving the offerings, improving the hours of operation, if we had done all this, and kept the tool library on site it may have made more of a difference, not that it can't be changed or improved with appropriate signage, but I would like my colleagues to consider that caveat.

Ms. Porter said those are all good points. We welcome a continuation of this discussion at the end of our budget discussions. I appreciate the work the Friends have put into this issue. I know it's been hard.

REGULAR MEETING

Resolution of Condolence

Ms. Porter introduced the Resolution of Condolence on the passing of Councilmember Seamens' mother. Mr. Williams seconded the motion.

Council expressed their condolences.

Resolution 2005-25 was adopted (VOTING FOR: Porter, Austin-Lane, Barry, Elrich, Mizeur, Seamens, Williams).

Resolution 2005-25 (Attached)

3. 1st Reading Ordinance re: Committee on the Environment

Motion by Williams; second by Seamens.

Ms. Porter noted that the City Attorney had reviewed the ordinance and made some changes.

Ms. Austin-Lane commented on the number of members (five to eleven).

Mr. Williams said he would be happy to raise the minimum number to seven. Seconded by Mr. Seamens.

Ms. Porter commented that the length of member terms is three years; we do what we do with other committees. We interview people for appointment. I recall only one instance where we appointed a Council member. I assume we'll make those decisions as they come up to us.

Mr. Elrich said he was not comfortable with the requirement that basically requires six out of 11 people to decide to change the leadership. I don't think we should force people to do that.

Mr. Williams asked if he wanted to strike that last sentence.

Mr. Elrich said yes.

The Council discussed alternative language.

Ms. Porter asked if we require other committees to have bylaws?

Ms. Austin-Lane said we made the Arts and Humanities Commission have them.

Mr. Seamens said we discussed that this will be appropriate for all committees. What kind of rules do we want in place for our committees?

Catherine Tunis, Chair of the Committee on the Environment, said the format changes suggested are fine. Some of the changes are substantive. The language says that candidates are encouraged to serve an internship has been dropped completely. I think we have to stick with the compromise that we made.

Mr. Williams said we were going to say something as we do, as has been the practice generally with a lot of candidates, that people are encouraged to attend meetings to familiarize themselves to make sure that it's something they want to get into. I'm not sure that it's language that should be included here. We should have a cheat sheet on committees on how to deal with them and what they should expect.

Ms. Porter said I think the language that Mr. Williams proposed is adequate, the candidates should familiarize themselves with the committee.

Ms. Tunis said I think that's rolling back on what the committee wanted.

Mr. Elrich said we were clear last week that we weren't going to do this. We said we'd encourage people to volunteer, not internship.

Ms. Mizeur said her strong recollection is that Ms. Tunis is correct, Council agreed that the language was acceptable last week.

Mr. Elrich said I think it's appropriate to say that they can volunteer until the Council appoints them.

Council discussed the issue of whether internships should be required.

Ms. Tunis said I think this added information is signaling that it's a technical committee. An intern in a job is studying under somebody; some of it may be one on one interactions over dinner, or over e-mails. It allows interaction outside of the meetings. I don't think it's a crazy notion; by coming back and talking to us, it sets the expectations that they have the ability to roll their sleeves up. What I would ask my colleagues to consider is to maybe go back and check how it goes.

Ms. Porter commented that there are two issues here for all committees, not just the Committee on the Environment. It's to get people involved; to have a knowledge base that's useful. I'm concerned on the other side that we do not put up barriers to people that want to be in the committee; that if you're acceptable, you have some kind of screening. We haven't done that with other committees, and we don't want to. I look very seriously at people's credentials to see if they're suitable to the committee or not. Perhaps we need people who have a different perception of how the committee's mission can be carried out. I think we want to have people that are serious, qualified and have an interest.

After additional Council comments, Ms. Tunis offered a suggestion for alternative language. Additionally, Ms. Tunis asked about the budgeted amount being deleted from the ordinance.

Ms. Mizeur noted that the fiscal impact is noted on the cover sheet.

Ms. Tunis commented on other language changes in the ordinance, which changed some of the "wills" to "shalls." On the question of recruiting members until there are 11, that is not the understanding of the committee. As to the question raised earlier about the leadership structure, my recollection is that it was going to be taken care of in the bylaws.

Dan Robinson, Grant Avenue, said it would be a good idea for all to committees to let the public have a way to know how many slots there are, what the purpose of the committee is, and maybe a paragraph from a member of the committee telling of their work.

Ms. Austin-Lane commented that when the Arts & Humanities Commission was forming, there was some surprise as they got a group together, as they got vacancies, that the number range of committee members didn't matter, only the maximum number matters. The City Clerk's Office advertises the vacancies until the maximum is reached.

Ms. Mizeur asked Ms. Tunis how big a deal to the committee is the final count.

Ms. Tunis said it's really hard to tell within a month or two when someone volunteers for a government committee, as opposed to another committee.

Ms. Mizeur asked will it be sufficient to say that they're encouraged to go to meetings prior to appointment.

Mr. Williams suggested language that says candidates are encouraged to go to meetings, find out what's going on, and volunteer.

Ms. Porter stated the agreed upon language before the vote: "candidates are encouraged to attend meetings and volunteer with the Committee prior to appointment."

With the amendments, Ordinance 2005-9 was accepted at first reading (VOTING FOR: Porter, Austin-Lane, Barry, Elrich, Mizeur, Seamens, Williams).

**Ordinance 2005-9
(Attached)**

4. 2nd Reading re: Member Composition of the Emergency Preparedness Committee

Motion by Williams; second by Austin-Lane.

Mr. Seamens commented on the possibility of increasing the size of this committee. Historically, some wards have a very low participation in community affairs. I am pleased to see there are two applicants from Ward 4. The current size of the committee is limited to six people. I want to move that we increase the size of the committee to 12 to allow for two members from each ward, given the nature of the work of this committee. It's too much to handle. To provide leadership from each ward would be beneficial.

Ms. Porter said since this committee has residents and staff, I don't know that the City Manager would want to do about this. I don't disagree with Mr. Seamens. It says six residents, preferably one from each ward. We can deal with it now, or deal with it later if we have more than six applicants.

Council briefly discussed and agreed to address the issue later if necessary.

Ordinance 2005-8 was adopted at second reading (VOTING FOR: Porter, Austin-Lane, Barry, Elrich, Mizeur, Seamens, Williams).

**Ordinance 2005-8
(Attached)**

5. Resolution Effecting Appointments to the Emergency Preparedness Committee

Motion by Williams; second by Seamens.

Council agreed to assign the appointment terms as follows: Henry C. Daniels, representing the PSCAC; Wolfgang Mergner, term to expire in 2008; Stacy Baker, term to expire in 2007; Mary Drake, term to expire in 2007; Ahmed Martinez, term to expire in 2008.

Resolution 2005-26 was adopted (VOTING FOR: Porter, Austin-Lane, Barry, Elrich, Mizeur, Seamens, Williams).

Resolution 2005-26
(Attached)

CONSENT AGENDA

Moved by Barry; second by Williams. (VOTING FOR: Porter, Austin-Lane, Barry, Elrich, Mizeur, Seamens, Williams).

A. Resolution 2005-27 Effecting appointments to the Commission on Landlord-Tenant Affairs

Joanne Hill was appointed, term to expire 2008.

Resolution 2005-27
(Attached)

B. Resolution Effecting an Appointment to the Tree Commission

Robert Campbell was appointed, term to expire September 30, 2008.

Resolution 2005-28
(Attached)

C. Resolution Effecting an Appointment to the Nuclear Free Committee

Julie Boddy was appointed, term to expire March 31, 2007. _____

Resolution 2005-29
(Attached)

BREAK

The Council recessed for a scheduled break at 9:15 p.m. and reconvened in Worksession at 9:30 p.m.

WORKSESSION

7 and 8. Discussion of Minimum Parking Standards in Commercial Districts and Discussion of Proposed Amendments to Takoma Park Code, Chapter 13.12 "Parking Meters."

Mr. Inerfeld introduced the topic. The project that Dan Robinson is building on Orchard Avenue and the work being done in Old Town has necessitated a review of the parking standards for off-street parking. The Master Plan recommends the creation of a Commercial Revitalization Overlay Zone (CROZ) that would cover all commercial property in Takoma Park, given the level of walking, bike and transit usage. The Council adopted an ordinance authorizing the creation of a CROZ in 2001. Additionally, staff is recommending changes to the City Code to add some additional parking meters and adjust the time of a number of other meters to address the commercial on-street parking in Old Town.

Council questioned staff about off-street parking requirements of the existing businesses, the status of John Urciolo's plans for a parking garage, and the proposed new development in Old Town. Councilmembers expressed concerns about the impact on residents in the area.

After discussion about on-street metered parking, there was Council consensus to move forward with amending the City Code as recommended by staff.

9. Renovation Contract for 7133 Carroll Avenue

Ms. Braithwaite introduced the topic, renovation of 7133 Carroll Avenue with funding provided by Montgomery County. The project will allow the Hevia family to move into their new property so that their house can be demolished. Construction can then begin on the new Fire Station. The bids for renovation of the property were above the \$234,000 provided by Montgomery County for the project. The project was re-bid with an alternative design. The low bid still exceeded the amount budgeted, by \$8,000. Removing the storm windows (an \$8,000 component) from the project would allow construction to begin shortly. The additional work on the property can be completed in a second phase after additional funding has been secured from Montgomery County.

After Council discussion, there was general agreement to move forward with an ordinance authorizing the City Manager to negotiate and sign a contract for renovation. First reading of the ordinance is scheduled for April 18. Staff was directed to keep the Council informed about the project.

ADJOURNMENT

The Council adjourned for the evening at 10:18 p.m.